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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/925,004

08/08/2001

Werner Agne

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3612

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02/23/2005

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EXAMINER

QIN, YIXING

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,004

Applicant(s)

AGNE, WERNER

Examiner

Yixing Qin

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 19 March 2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

The German NPL disclosed in the IDS was not considered since there was no English translation available.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Stikkelorum et al (U.S. Patent No. 5,144,562).

Stikkelorum et al discloses a system for collating and binding books or magazine that involve multiple workstations with individual controllers.

6. A data transmission system for use in a machine having a plurality of drive systems, comprising,

- **a control functional unit associated with each drive system, and**
- Stikkelorum et al discloses in Fig. 2 many controllers ("contr.") that are associated with various components such as feeders, stapler, wrapper, etc.
- **a network interconnecting said control functional units for real time cross-communication there between,**
- Stikkelorum et al discloses in Fig. 2 a communications network 30 that connects all the various controllers and components.

- **whereby information relating to movement control from any one of said control functional units is simultaneously transmitted to all of the other of said control functional units.**
- Stikkelorum et al discloses in column 9, lines 24-51 the events that occur when an error is detected in the system. In particular, lines 33-39 that “[t]he computer 31...will transmit messages to all workstations downstream of the checkpoint 18. The result thereof will be that the respective magazine will not be processed any further in the downstream station[s]...” Checkpoint 18 is given as an example, but if an error occurred in checkpoint 16 (i.e. the first checkpoint), all other workstations will receive this error (since they are all downstream from checkpoint 18).
- Furthermore, lines 42-46 of the same column states that “[f]urthermore the central computer will take care that the messages to be sent to all workstations relating to the next batch of magazines to be produced will contain a new set of data related to the now rejected magazine.” This indicates that any error in any of the components will result in producing the same (previously rejected) magazine again.

7. The data transmission system according to claim 6, wherein the real-time cross-communication can be carried out using Ethernet links.

- Stikkelorum et al discloses in column 6, lines 57-62 that “[t]he whole network 30 can be embodied for instant as a so called modified ETHERNET...”

8. The data transmission system according to claim 6, wherein the control functional units can be synchronized by means of Ethernet real-time cross-communication.

- Stikkelorum et al discloses in column 7, lines 49-55 that “[a]ll controllers are constantly listening to the network and will receive those messages carrying their own address. The received messages will be stored and translated in workstation control signals which will be generated at the correct timing to obtain the desired functioning of the controlled workstation.” As mentioned above in the rejection to claim 7, the network is ETHERNET.

9. The data transmission system according to claim 6, wherein data and synchronization signals from drive regulators can be interchanged with an associated control functional unit using Ethernet real-time communication.

- Stikkelorum et al discloses in Fig. 2 a number of checkpoints associated with the various components. Stikkelorum et al discloses in column 6, lines 4-5 that “[t]he function of these checkpoints is to check the proper functioning of the related station.”

10. The data transmission system according to claim 6, wherein the machine is a printing machine.

- Stikkelorum et al discloses in Fig. 2 that there is a printer in the system along with feeders, staplers, etc. One skilled in the art would understand that these are common components of a printing machine and one could simply call Stikkelorum et al's invention a printing machine.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is 703-306-4142. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQ



JOSEPH MANCUS
PRIMARY EXAMINER